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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,108	12/27/2000	Jeffrey James Cornell	ROC920000228US1	6271

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EXAMINER	
NGUYEN, CINDY	

ART UNIT	PAPER NUMBER
2171	9

DATE MAILED: 02/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/749,108	Applicant(s) CORNELL ET AL.	
	Examiner Cindy Nguyen	Art Unit 2171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 June 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 December 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

This is in response to Request for reconsideration filed 06/25/03.

1. Response to Arguments

Applicant's arguments filed 06/25/03 have been fully considered but they are not persuasive.

Applicant is responsibility for the four corners of the reference. Clearly the first paragraph of the summary in Cezar (as well as the cited passages) clearly teaches showing a page for a predetermined period of time. Garrett was not relied on this teaching. It is true that 1200, fig. 12 does not automatically shift to the next page, but that function is the teaching of Cezar. Clearly, the page shown in fig. 12 is an intermediate page.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

2. Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-6 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Garrett (U.S 6473738) in view of Cezar (U.S 6128651).

Regarding claims 1 and 4, Garrett discloses: a method and an apparatus for a web server to render web pages to the user, comprising:

at least on processor (2301, fig. 24 and corresponding text, Garrett);

a memory coupled to the at least one processor (2330, fig. 24 and corresponding text, Garrett);

a web server application residing in the memory and executed by the at least one processor (2320, fig. 24 and corresponding text, Garrett), the web server application rendering specified web pages to web browser at the web browsers' request (col. 14, lines 59 to col. 15, lines 10, Garrett);

An intermediate web page residing in the memory (col. 10, lines 54 to col. 11, lines 5, Garrett);

A next web page residing in the memory (col.10, lines 18-39, Garrett);

Wherein the web server application renders the first web page residing in the memory that includes a form into which a user may enter information and a mechanism for the user to submit the entered information to the web server application (col. 9, lines 4-27, Garrett) and when the user submits the entered information to the web server application the web server application received the entered information (col. 9, lines 37-55, Garrett).

However, Garrett didn't disclose: Renders the intermediate page for a predetermined period of time, and then automatically renders the next web page when the predetermined period of time expires. On the other hand, Cezar discloses: Renders the intermediate page for a predetermined period of time, and then automatically renders the next web page when the predetermined period of time expires (col. 7, lines 22-40, Cezar). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include period of time expires in the system of Garrett, as taught by Cezar. The motivation being to enable displayed and timed advertisements under the control of system.

Regarding claims 2 and 5, all the limitations of this claim have been noted in the rejection of claims 1 and 4, respectively. In addition, Garrett/ Cezar disclose: wherein if the user reloads the next web page the entered information is not re-submitted to the web server application (105, fig. 12 and corresponding text, Garrett).

Regarding claims 3 and 6, all the limitations of this claim have been noted in the rejection of claims 1 and 4, respectively. In addition, Garrett/ Cezar disclose: wherein the intermediate web page specifies the predetermined period of time (col. 7, lines 51-60, Cezar).

4. Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Davis et al. (U.S. 5796952). Method and apparatus for tracking client interaction with a network resource and creating client profiles and resource database.

Cohn et al. (U.S 6317780). System and method for distributing data over a communications network.

5. Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CN

Cindy Nguyen
January 28, 2004

WAYNE AMSBURY
PRIMARY PATENT EXAMINER